IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLN.NO.1672 OF 2007

1. Deepak Namdeo Tamboli
2. Parshuram Tamboli ..Applicants

Vs.

State of Maharashtra ..Respondent

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Mr.J.S.Kini i/b Suresh Dubey Advocate for Applicants
Mr.K.V.Saste A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : JUNE 28, 2007

P.C.

1. Heard the learned advocate for the applicants and the learned A.P.P. for the State.

2. The applicants are seeking bail in C.R.No.8 of 2007 of Wadhkal Police Station. The said case is mainly under Section 302 of IPC.

3. The learned advocate for the applicants states that at this stage, he is not pressing this application in respect of applicant No.2-Parshuram Tamboli and he seeks liberty to file a separate application after annexing the statements of relevant witnesses. Liberty as prayed for, is granted. Thus, this application is being

considered only in respect of applicant No.1-Deepak Namdeo Tamboli.

4. There is one eye witness to the incident. He does not state the name of the applicant no.1. However, it is stated that there were two unknown persons. As far as this aspect is concerned, it is an admitted fact that though FIR was lodged on 16.1.2007 and the charge sheet has been filed, no test identification parade has been held. Thus, no witness has identified the applicant no.1 as having participated in the incident. In this view of the matter, I am inclined to grant bail to the applicant no.1.

5. The applicant No.1-Deepak Namdeo Tamboli to be released on bail in the sum of Rs.20,000/- (Rs.twenty thousand only) with one or two sureties to make up the said amount in C.R.No.8 of 2007 of Wadkhal Police Station. The applicant shall report to the concerned Police Station once in a week till the conclusion of trial.

6. Application is disposed of.

[SMT. V.K.TAHILRAMANI, J.]